

Baker & Hostetler LLP
45 Rockefeller Plaza
New York, New York 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201

*Attorneys for Irving H. Picard, Trustee
for the Substantively Consolidated SIPA
Liquidation of Bernard L. Madoff
Investment Securities LLC and the
Estate of Bernard L. Madoff*

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Liquidation of Bernard L. Madoff Investment
Securities LLC,

Plaintiff,

v.

LARRY WARSHAW AND CAROL
WARSHAW AS TRUSTEES FOR CAROL
ANN ENTERPRISES, INC. PENSION PLAN,
SAJUST, LLC, and MARK D. WEINBERG,

Defendants.

Adv. Pro. No. 08-01789 (BRL)

SIPA Liquidation

(Substantively Consolidated)

Adv. Pro. No. 12-01092 (BRL)

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

PLEASE TAKE NOTICE that Plaintiff Irving H. Picard, as Trustee for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the estate of Bernard L. Madoff, by and through his counsel Baker & Hostetler LLP, pursuant to Rule 7041 of the Federal Rules of Bankruptcy Procedure (incorporating Fed. R. Civ. P. 41(a)(1)(A)(i)), and pursuant to the Stipulation and Order Staying Actions Commenced by Defendants entered in the above-captioned action and so-ordered by this Court on March 13, 2012 (ECF No. 7), hereby dismisses, without prejudice, the above-captioned action. Pursuant to Rule 7041 of the Federal Rules of Bankruptcy Procedure (incorporating Fed. R. Civ. P. 41(a)(1)(A)(i)), the Trustee is permitted to voluntarily dismiss this action, without prejudice, without further order of the court by filing this Notice of Dismissal. As of the date hereof, no opposing party has served either an answer or a motion for summary judgment.

Dated: April 17, 2012
New York, New York

BAKER & HOSTETLER LLP

By: /s/ Keith R. Murphy
Deborah H. Renner
Keith R. Murphy
45 Rockefeller Plaza
New York, New York 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201
Email: drenner@bakerlaw.com
Email: kmurphy@bakerlaw.com

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